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STUDY ON SOCIAL SECURITY SYSTEMS AND NATIONAL DEVELOPMENT IN AFRICA

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I. INTRODUCTION

1. In a broad sense, societies have always had some degree of social security. In small-scale communities the whole ethos of the society reflects security based on social solidarity and mutual support. In modern industrial societies social security has developed rather specific and formal connotations, and to many people social security systems reflect impersonal bureaucracy and the imagined immutability of enacted legislation, and seem really a rather dry topic altogether. It is refreshing to bear in mind that these systems actually reflect very dynamic processes within societies, and are therefore constantly the subject of tension and change. Between national social security systems world-wide, there are ongoing processes of differentiation, harmonization, further differentiation, new areas of consensus, and so on.

2. This report is an overview of the status of social security in some African countries. The main objective of the study is to examine the various social security schemes existing in selected African countries, the types of risks covered, the coverage of the population, methods of financing social security schemes, and problems in the administration of various social security schemes. These are analyzed with a view to ascertaining the extent to which the interests of the population as a whole are being assured and secured through the existing social security schemes. Towards this end, the report is organised in five sections. Section **one** introduces the study ; an overview of social security systems in Africa and current trends are included in section **two**. A wider coverage by social security schemes is presented in section **three**, while some specific social security issues, using examples from Ethiopia and Nigeria are discussed in Section **four**. Section **five** gives the summary and conclusions of the study, including proposals for the future directon of social security systems in Africa.

AN OVERVIEW OF SOCIAL SECURITY SYSTEMS IN AFRICA

a) A Brief Examination of African Social Security and its Current Trends

3. A particularly clear chart of the spread of social security systems in Africa up to 1972 is provided by Mouton (1975: 4-8). A scrutiny of this shows differences in social security systems between Francophone and other African countries.

4. James Midgley points out that "Social insurance...is widely regarded as the most useful type of programme today," (Midgley, 1984 : 84). It is therefore useful to study his Table 6.2 on this for selected developing countries with data from the beginning of the 1980s. Our Table 1, on selected African countries, is extracted from it, and separates out social security systems in Francophone and other African countries to highlight their differences. Other types of social security schemes in Africa have, of course, to be taken into account for an overall picture of these differences.

Table 1. Benefits provided by social insurance schemes in selected African countries.

Country	Benefit provided							
	Retirement, invalidity & survivor's	Funeral	Sickness	Maternity	Medical Services	Employment injury	Unemployment	Child Benefit
A. Francophone countries								
Algeria	X		X	X	X[1]	X		X
Benin	X			X		X		X
Burundi	X					X		
Burkina Faso	X			X		X		X
Cameroon	X			X		X		X
Chad	X			X		X		X
Congo	X			X		X		X
Guinea	X	X	X	X	X	X		X
Madagascar	X			X		X		X
Morocco	X	X	X	X				X
Niger	X			X		X		X
Rwanda	X					X		
Senegal	X			X	X[1]	X		X
Tunisia	X		X	X	X			X
Zaire X				X		X[2]		
B. Non-Francophone countries								
Cape Verde	X		X	X	X	X		X
Egypt	X	X	X	X	X	X	X	
Liberia	X					X		
Libya	X	X	X	X	X	X		
Mauritius	X					X		
Seychelles	X	X	X	X		X		
South Africa			X	X		X	X	
Zambia						X		

1 Partial treatment only. 2 Certain categories of workers only.
Source: Derived From J. Midgley's Table 6.2. Social Security Inequality and the Third World, Chichester, 1984, pp. 136-7.

5. In Anglophone countries some of the above contingencies are covered under provident funds, as is shown in Table 2, which is extracted from Midgley's Table 6.4. This adds some balance to the picture, though provident funds, as will be explained later, are less in favour than social insurance schemes.

Table 2 Benefits provided by provident funds in selected African countries

Country	Benefit provided				
	Retirement, invalidity & survivor's	Funeral	Sickness	Maternity	Unemployment severance
Ghana	X	X	X		X
Kenya	X				
Nigeria	X		X		
Swaziland	X				
Tanzania	X		X	X	X
Uganda	X	X			X
Zambia	X	X		X	

Source: Derived From Midgley, o.p. cit., p. 143

6. Many African countries provide benefits through employer liability schemes, but these tend to be even less satisfactory than provident fund arrangements. Medical services are covered in this way in Benin, Botswana, Zaire and Zambia, unemployment severance in Tanzania, and, almost uniquely in the world, child benefits in Burundi, where employers pay a flat rate benefit for workers' wives and children. Table 3, extracted from Midgley's Table 6.5, indicates the spread of countries attempting to meet contingencies through employer liability.

Table 3. Benefits provided by employer liability schemes in selected African countries.

Country	Benefit provided		
	Sickness	Maternity	Employment injury
Benin	X		
Botswana	X	X	X
Burundi	X	X	
Congo	X		
Ethiopia	X	X	X
Gabon	X		
Gambia			X
Ghana			X
Kenya	X	X	X
Liberia			X[1]
Malawi			X
Mauritius	X	X	
Morocco			X
Niger	X		
Nigeria			X
Rwanda	X	X	
Sierra Leone			X
Sudan	X		
Swaziland			X
Tanzania	X		X
Tunisia			X
Uganda			X
Zaire	X	X	
Zambia	X		

1 Applies only to certain categories of workers, others being protected by different schemes.

Source:From Midgley, o.p. cit.; p.147-8

7. Among Francophone countries in Table 3, it can be seen that, apart from Congo, Gabon and Niger, it is the former Belgian territories, Burundi, Rwanda and Zaire, which do not provide for employment injury under their employer liability schemes. All six countries provide for this contingency through social insurance, the former Belgian colonies since 1949, Congo (along with Benin, Burkina Faso Guinea and Mali) since 1959, while Gabon and Niger switched from employer liability to social insurance in 1961 and 1962 respectively.(Mouton, 1975: 4-7). Though there is increasing interchange of ideas between national social security systems in Africa, there is still a tendency not only to stick to patterns inherited from the former colonial powers, but also for ex-colonies to use

expertise from Paris, London, Brussels and Lisbon respectively rather than interchangeably (perhaps also from Madrid and Rome).

8. One of the most useful instruments for productive interchange has been the ILO. This, along with its Convention No. 102 of 1952, has provided a neutral point of reference against which to gauge social security developments in Africa.(ACARTSOD, 1986 : 32). It has also been the vehicle for much vital research, which has helped to reveal where provisions are more or less dead letters, where financial, administrative, political and social problems get in the way of effective social security, This has reduced the extent to which each country has had to repeat similar mistakes and painfully re-invent similar solutions. ILO's regional office for Africa is in Lagos. Another organization active in this process has been the International Social Security Association (ISSA), whose regional office is in Lome.

9. To round off our initial summary of the principal types of social security in Africa, we should also point out the existence of the social allowance scheme in Mauritius and the social assistance scheme in Zimbabwe. Mauritius is one of the few countries in the developing world providing benefits for retirement and invalidity through a social allowance scheme. A large majority of the population obtains the pension.(Midgley, 1984 : 152) .

10. Zimbabwe operates a social assistance scheme, which it calls public assistance. Administered by social work personnel, and although tightly controlled, it seems to have a degree of flexibility. This has enabled it to provide assistance to those whom other social security schemes in Africa seem largely to miss, that is "individuals and families who are in desperate need, and in this respect Zimbabwe has done more than many other developing countries." (Midgley, 1984 : 135). By 1981, 20,000 people were being assisted. Also 28,500 poor families were helped with funeral expenses, subsidies were being paid to voluntary organizations to provide residential care for the elderly and handicapped, and monthly grants were made to foster parents to care for neglected children.

b) Some Common Problems

11. At the core of social security provision in African countries there remains a crucial paradox. Especially with the economic crisis, it is very difficult for African governments to find ways of extending social security more widely to those supposedly most in need of it. "In almost all African countries, the vast mass of non-wage earners is made up of poor peasants, who....simply do not have the means to finance their own protection," (Crut, 1991: 15).

12. Unless there were to be a totally different approach to social security in Africa (for example, an adaptation of Zimbabwe's public assistance scheme), the signs are that any attempt at substantial extension of the principal existing social security systems prior to major internal reforms would prove meaningless. The reality is that "African social security systems are currently suffering from a virtually built-in vulnerability and their financial foundations are

crumbling",(Grut, 1990: 22) and "Many of the social security schemes operating in Africa have been generally ineffective in providing protection even to the limited number of persons covered,"(Bailey, 1991 a : 7).

13. This thoroughly unhealthy situation has been building up for some time, in certain countries, of course, even more so than in others. Developing countries spend a much smaller part of their GDP on social security than do industrial ones, though expenditure on social insurance schemes is better than on others (Midgley, 1984 : 159). Given that operating costs are generally higher in Africa than in industrialised countries, it is to be expected, for these reasons alone, that the sector would be relatively small.

14. Not only provident funds, workmen's compensation schemes and public servants pensions, but also "The social insurance schemes, in particular those operating in French speaking Africa, have suffered from financial difficulties attributable to a combination of inflation, mismanagement and poor investment" (Bailey, 1991 a : 7-8).

15. Forward planning of social security funds has been short-sighted in terms of both investment and expenditure. In their earlier years, the funds had a period of relatively few pension claims. Predictably, as their members have become older, this has changed. (For example, it is predicted in the case of Ghana's scheme that the number of pensioners will increase tenfold during 1991-96.) Unfortunately, "accounting surpluses were not set aside methodically by the funds in a form in which they could be mobilized to meet future outgoings ("Grut, 1990 : 21). Sometimes they have been spent rather freely, including on over-staffing, which has been part of the reason for their higher operating costs. Funds have also suffered from bad investment decisions and political interference; their vulnerability, to put it euphemistically, is not exclusively "built-in.

c) Provident Funds and the Movements Towards Social Insurance

16. In sub-Saharan Anglophone countries, provident funds have accumulated sizeable reserves, yet they often do not maintain their real value; what they realize for the member is worth even less in real terms than the member's contributions. When the lump sum is made available on retirement it usually proves useful for a while, but wholly inadequate to last until death. Some countries allow members to opt to receive the sum in the form of several payments, but this does not really solve the problem.

17. Provident funds were introduced into Anglophone African countries as a stop-gap measure, but frequently lasted much longer than intended (e.g. in Ghana, 25 years instead of the intended 5 years). And they largely outlived their usefulness. Certainly, social insurance pension schemes seem better able to guarantee retired people an income until death, and to assist survivors if there is provision for them to benefit should the death occur during the early years of retirement (e.g. up to age 72). Many countries that have not already done so have shown interest, with ILO and ISSA encouragement, in switching over to social

insurance schemes. These are proper pension schemes in the strict sense and more truly representative of social security because risk is spread over the whole insured group rather than, as in provident funds, being tied directly to the individual member's contributions.

18. However, it has been found that the interest in making the changeover tends not to get beyond the planning stage "because of the enormous financial, psychological and administrative obstacles entailed" (Grut, 1990 : 17). One financial inhibitor is the fact that provident funds in sub-Saharan Africa have been invested heavily in public projects, which is to the immediate advantage of governments.

19. During the 1980s, making the switch has been a live issue in Nigeria, and slow to be resolved. In fact, the inadequacy of the National Provident Fund's retirement benefit had already been pointed out in 1972. In 1984 a ministerial committee's report concluded that the time was opportune to introduce a proper social security scheme in the country. One of the positive up- shots of pressures to change has been some reform within the fund, whose "members' contributions have consistently produced a negative real rate of return" (Bailey, 1991 b : 4). For example, in 1986 82% of its funds were invested in government stock and investment yields were only 7.5%. 1990 saw investments in government stocks at 45%, with yields doubling to 15%. There have also been efforts to reduce delays in processing data on contributions and claims by decentralizing responsibilities to state offices (Bailey, 1991 b : 10).

20. Such decentralization has been a key administrative action taken in Ghana in the process of changeover which began in 1987 and was formalized on 1 January 1991. As in Nigeria and elsewhere, there has been a keen awareness among those responsible for the changeover that social insurance demands a high level of professionalism not only, of course, in terms of regular actuarial advice and assessments, but also in terms of collection, processing, storage and retrieval of data as well as effectivness in collecting the contributions themselves. This led, for example, to training workshops for the Ghana Provident Fund staff, so as to gear them fully to the new scheme, and appraise them of its requirements and advantages. To ensure the smooth operation of the whole system and effectiveness at the interface with members and potential members, decentralization includes computerization in all regional and district offices.

21. Ghana's experience is clearly potentially very useful to other African countries wishing to make the changeover. A salient aspect of this experience that can be shared is the effective information campaign run by the fund. This focused on government personnel (secretaries of state, heads of corporations, etc.), relevant organizations such as the Trades Union Congress (TUC) and employers' and professional associations, (SSNIT, 1991). as well as on the public generally, especially through the mass media. A National Public Education Committee was formed and was replicated regionally and at district level. This had representatives not only from the National Provident Fund's successor, the Social Security and National Insurance Trust (SSNIT), but also from the TUC and professional and employers' associations.

22. This thorough educational process is no doubt reflected in the fact that, at the time when members of the Provident Fund automatically became members of the new scheme and their contributions were converted into pension credits. The benefits covered are (a) old age/retirement, (b) invalidity and (c) death/survivors.

23. SSNIT represents a modest and encouraging part of the realization of the objective of spreading social security more and more widely in African society. The old provident fund in Ghana was available only to organizations with five or more employees. The new scheme intends to and is legally binding on all businesses where there is a definite worker/employer relationship (though military and security personnel are exempt), and, significantly, it is open to members of the informal sector. This latter feature strengthens the arguments for maintaining a public information campaign.

24. While, as has been stated, much remains to be done to reform and strengthen formal social security systems in Africa as a primary priority, gradual extension of coverage is also vital to maintain its relevance and, indeed, as a part of the reform process. There is no doubt that, while the word `urgent' is appropriate as applied to improvement needed within and between the systems, `gradual' is appropriate when applied to extension, for the difficulties are considerable and any extension will require consolidation.)

III. SOCIAL SECURITY AND SOCIAL PROTECTION

a) Social Security and Vulnerable Groups

25. Clive Bailey draws a useful distinction between social security and social protection (Bailey, 1991 c : 8). This helps to place current social security objectives within the AAF-SAP orientation that emphasises the importance of protecting vulnerable groups and promoting their productive contribution, while not expecting African social security itself to do more than is viable in present realities. Thus he refers to protecting vulnerable groups through a comprehensive social protection strategy in which "social security may well have an important role to play...but the extension of income protection measures and health care should be considered in this wider context" (Bailey, 1991 a : 2).

26. Moreover, social security policy needs to recognize that the longer term priorities it emphasises, important as they are for many, may not currently be the main concerns of most of the rural poor, for whom, arguably, safe water and medical care "merit higher priority than the `replacement' of cash income they have never had" (Bailey, 1991 a : 3). This is all the more so given that the longer term character of social security is even more pronounced in Africa than in the industrialized countries. "In Africa priority has been given to old age, invalidity, death and employment rather than short term contingencies such as sickness, maternity and unemployment."[21] While Francophone social security systems do focus more than Anglophone ones on maternal and child benefits (often interrelated and health-related), for people facing crushing survival problems the general emphasis on what seem very long term concerns -which they may never live to worry about- rather than on much more immediate contingencies, means

formal social security systems are, for the time being, fundamentally irrelevant to the majority in Africa. At the same time, social security can gradually become more and more relevant to the population as a whole.

27. That is why, at the present stage of Africa's socio-economic development, emphasis on social protection, or to put the same concept more positively, community-based development, has to be the overall priority of governments until such time as people are able to finance their longer term contingencies through the narrower sphere of social security. While that developmental process slowly takes place, social security provision should be gradually extended to all those who are able financially to contribute adequately to it. But such contributions should be made to finance directly the rest of society's putative social security needs. The real social protection needs of the whole society are obviously not in dispute, and general emphasis by government and other agencies in that sphere is the appropriate way towards offsetting imbalances between those who enjoy social security and those who cannot yet be included.

28. This approach does not try to penalize those who are provided for by social insurance and other schemes, it does not try to spread the little there is so widely as to completely water it down, rather it emphasises making the schemes work effectively for those within them, and empowering those outside them to play their full role in productivity and economic development, so that all can gradually enjoy a degree of prosperity. That, in turn, will make universal social security viable. Furthermore, in so far as the concept of social security theoretically draws its strength from notions of national solidarity, this process will contribute to the process of nation-building in Africa without which the evolution of sub-regional and regional cooperation will be hampered.

b) Wider Coverage by Social Security Schemes

29. Universal schemes already exist in Mauritius and Seychelles, family benefits are paid on a universal basis in Francophone Africa and Cape Verde, and Namibia has inherited an old age pensions system for all, though this is racially differentiated. But, to reiterate, for Africa generally, it is essential to proceed gradually, consolidating all the way. If a society is not yet ready for a certain stage, legislation can be counter- productive, possibly causing a whole national social security system to lose its credibility with the public, undermining the vital area of public information/education campaigning. "Where compulsory coverage of social insurance has been extended to the self-employed in Africa, it has proved difficult to achieve compliance", and it has also run into problems with the smaller employers (Bailey, 1991 a : 22). Tunisia is frequently cited as an example of this.

30. Where countries are moving away from provident funds, it is not always easy to ensure workmen's compensation schemes are fully incorporated at an early stage in the move towards social insurance. For example, in 1987, despite accepting that its provident fund should become a social insurance scheme, the Board of Nigeria's fund, "decided that the Workmen's Compensation Act should continue to

be administered as a separate programme from the proposed Social Security Scheme" (Brocas, et. al., 1990 : 22-23).

c) Employer's Liability Schemes and Employment Injury Schemes

31. In so far as employer liability schemes are one of the most unsatisfactory areas of social security in Africa, employees finding it hard to press home their claims effectively, this kind of loose-end seems unsatisfactory. Bailey points out that "Workmen's Compensation schemes and other employer liability provisions....are still common in English speaking Africa where social insurance principles have not been fully established" (Bailey, 1991 a : 29). And in terms of coordination, Midgley notes that "A major problem with the division of different social security schemes is that they operate independently and that few efforts have been made to harmonize their various provisions or to co-ordinate their functions within the framework of a national social security policy. Consequently, different schemes sometimes overlap and even come into conflict with one another" (Midgley, 1984 : 136).

32. This is not to gloss over the hiatus that has developed in twentieth century Africa between traditional informal social systems and limited modern formal ones. With the "modernization" process in Africa, and with this process not being supported by sufficient socio-economic development, large parts of the continent's population are left unaided between the two systems. Clearly this includes much of the urban informal sector, though one remains conscious of the danger of encouraging still further the urban-rural gap if concentration of social security expansion were to be exclusively within this sector.

1V. SOME SPECIFIC SOCIAL SECURITY ISSUES : EXAMPLES FROM ETHIOPIA AND NIGERIA

Ethiopia

a) The constitutional background

33. Government sponsored social security came about in Ethiopia as a result of "modernization". The background to this process included incorporating and adapting a European and particularly the French system of legal and social justice. Most of the family laws outlined in the 1957 Revised Constitution are still in force. Specific statutory provision for Ethiopia's present social security system began with the Public Servants Pension Decree Number 46 of 1961, amended by Proclamation Number 209 of 1963. The social security system is still quite limited in terms both of who is covered and what contingencies are covered. To have a clearer picture of what are areas that constitutionally are open for expansion and what are not satisfactorily covered, it is worth looking initially at the constitutional setting for the existing social security system, and, before that, a few more traditional aspects.

34. When referring to social security, the 1957 Revised Constitution acknowledges some aspects of tradition. This includes the support of the extended family system for vulnerable members, and the system of adoption which entailed the provision of socio- economic security. More than anything else, modern social security is depicted as aimed at alleviating poverty, and to some extent at protecting the worker from the vagaries of employment in the manufacturing industry.

35. Government in Ethiopia did have some involvement in aspects of social security before the 1961 Pension Decree. In the 1950s and 1960s, a form of pension was given to those who had served the state loyally, particularly by participating in the wars of resistance during the Italian-Ethiopian conflict of 1935-41. These pensioners, who included a large number of women, received their support in kind, mostly land. They were allocated the latter from government reserves, which included the large private holdings of Emperor Haile Selassie. This scheme also included widows of the Korean War of the early 1950s in which the Ethiopian army participated as part of the UN Peace Keeping Force. (Emperor Menelik II made similar provisions for veterans of the Battle of Adowa (1896), and for relatives of those killed.)

36. By its nature, this was a temporary "pensions scheme". The land involved reverted to the state as the pensioners died. Such pensioners extracted income from the land either through farming it themselves or renting out their usufruct rights. Their income was entirely dependent on the climate and on how they handled their "pensions" land. With the 1974 revolution, the scheme ceased to be operational.

b) Old Age Pensions

37. The first areas of social security for civil servants were old age pensions and maintenance of dependents. These were provided for in Article 16 of the 1957 Revised Constitution. The old-age pensions scheme was seen as geared to looking after the urban-based waged sector, including the armed forces, which had by 1957 been alienated from the rural agricultural base. The constitution also incorporated the obligation to maintain dependents, which emanates largely from customary laws of adoption and extended family responsibilities.

38. The 1957 Revised Constitution states that the regular pensions scheme should be based on earnings-linked contributions, from its inception providing for widows whose husbands were government employees. Article 5 covers the subject of dependents. (Also Article 4, Section 12, Numbers 807-825), section 12 Widowers whose wives had worked for the government would not be entitled to claim their wives' pensions either. Children under the age of eighteen were provided for under the pension of their deceased father until coming of age. Also provided for were aged parents who survived government employed sons who had been supporting them.

39. Article 16 of the 1957 Revised Constitution covers invalidity and death at work, security at work, holidays and leave, unemployment and family allowances.

c) The social security scheme

40. The present scheme still operates within the overall framework and theory set out in the 1957 Revised Constitution, and, with the possible exception of its military side, has survived relatively intact, as have the 1957 constitutional provisions. There are two areas especially, however, on which the ideological context of Ethiopia's period of Marxism-Leninism has had a major impact on the scheme: the incorporation of nationalized enterprises and investment. These will be considered shortly.

41. Ethiopia has not signed ILO's 1952 Convention 102, though its basic policy has always been supportive of it. The problem has been that it has been economically impossible for the government to cover all nine contingencies of the Convention; Ethiopia's governmental social security system, a social insurance type, covers only the four contingencies of a) Old age (retirement pension b) Invalidity (invalidity pension)c) Death/survivors pension d) Employment injury benefits.

42. Up to 1975 only two types of employees were covered under the national social security scheme: Civilians working in government institutions (ministries, etc.) and the military (including police). Two funds were established, the Civilian Fund and the Military Fund, though, as we shall see, on more paper than in reality. After the 1974 revolution many private enterprises were nationalized, and these became known as Government Owned Undertakings. By Proclamation Number 49 of 1975 all pension schemes, including provident funds, were incorporated within the national scheme, a separate Undertakings Fund was established and members and their contributions from the old private schemes automatically continued under the new fund. Because this fund commenced with a strong capital base, it has proved to be the most financially viable part of the national scheme. Its coverage includes wife/husband, children under 18, and parents partly or fully supported by the member. A number of non-nationalized enterprises (e.g. Shell) have continued with their own arrangements for employees' benefits. Such employees can, at the same time, also be members of the national scheme.

43. Those contributing to the Civilian and Undertakings funds pay 4% of their salary, and the employer add 6% of the salary. Contributions to the Military Fund have been 4% and 16% respectively. Contributions are monthly and the minimum amount is twenty Birr (US$1.00 = Birr 2.07).

44. Pension entitlement requires: a) Attainment of retirement age. Since soon after the 1974 revolution, It has been reduced to 55 for both men and women. Efforts have been for some time to raise this age as it adds some burden to the scheme as well as wasting skilled personnel; b) Non-fulfilment of medical conditions for service; c) Voluntary resignation after completing ten years' service; and, d) Death, leading to survivors' entitlement to a pension.

45. Pensions are paid monthly. Those who have worked for Undertakings are paid through branches of the Commercial Bank of Ethiopia. The others are paid through local offices of the Ministry of Finance (MOF). Calculations include: a) For the first ten years of service, 30% of the average basic salary. For every additional

year, 1% for civilians and 1.5% for military. The total maximum is 60%; b) A public servant who is incapacitated as a result of an occupational injury or disease is entitled to 45%, more if service has exceeded 10 years. Again, the limit is 60% of basic salary; and, c) Survivors receive a percentage of the deceased pension, or of the pension the person would have received. Widows receive 50% of this, semi-orphans 10% each, full orphans 20% each, and parents up to 20%. Totally, these benefits cannot exceed the amount that the original pensioner was entitled to.

46. Those who retire before ten years of service receive a lump sum gratuity equivalent to the basic salary for the month preceding retirement, or, in the case of military, one and a half times that month's basic salary, multiplied by the number of years of service. Appeals can be made against decisions/calculations to a pension Appeal Tribunal which was established by the Public Servants' Pension Proclamation Number 5 of 1967, Article 6.

47. What is commonly known in Ethiopia as the Pensions Commission has passed through several changes of name.Among these have beer the Ministry of Pensions, more recently the Pensions and Social Security Commission (PSSC) and currently the Pensions ans Social Security Authority (PSSA). On a day-to-day basis, PSSA operates autonomously. However, it comes under the Ministry of Labour and Social Affairs (MOLSA), which represents it on the Council of Ministers and is responsible for pensions and social security policy matters.

48. PSSA has a Commissioner and a Deputy Commissioner. It has three departments with direct responsibility for the pension award process. These are the departments of Registration and Verification; Benefit Entitlement; Finance. There is a department with the task of formulating policies and drafting legislation concerning extending social security services, the Social Security Expansion Department.

49. There are also the Administrative and Legal departments, as well as five other sections called "services". The latter are the services of Planning and Programming; Audit and Inspection; Computer and System; Public Relations; Social Service. There are also regional branch offices (15 in 1988, but there number seems to be in a state of flux for a number of reasons, including the setting up of new regions during 1989.)

50. Overall, the Commission and the national social security system is not self-financing. The only sector which is more or less economically self sufficient is the Undertakings fund. Otherwise, almost all operational costs (2.5 million Birr or more annually since 1984/85) and non-Undertakings benefits payments have to be provided from the government's central treasury. This situation does not conform with the intentions for the first two pension schemes when they were established (civil and military). The cost of correcting matters escalated as these sectors expanded. The issue has been lucidly summarized by Solomon Girma, a PSSA departmental head, as follows:

> "The original intention has been to set up a civl pension fund and a military pension fund into which the 10% and 20% contributions could be paid. However, the actual practice has resulted in these funds being operated on the annual assessment (`pay-as-you-go') principle where the costs of benefits are met directly from the national budget. But this practice does not seem to be appropriate because the constantly increasing costs are found to, ultimately, reach unbearable levels. Furthermore, this budgetary method of financing and subsidising social security can be a mechanism for a regressive redistribution. Therefore on grounds of both efficiency and equity it is essential that the Civilian and Military Pensions Funds be established, as provided for in the Proclamation" (Girma,1988 : 5).

51. Reserves were never organized for the Military Fund, and only an insignificant one for the Civilian Fund. The Ministry of Finance has had to foot the bill for these. How long this subsidising of Ethiopian social security can continue under prevailing economic and other conditions is unclear. Moreover, the military sector of the scheme is now really only operating for pensioners who were already receiving benefits when the present government came to power in mid-1991. With regard to new and future old age and injured military pensioners, PSSA is awaiting directives from the Transitional Government and the Ministry of Defence (MOD).

52. Virtually all investments have been from and for the Undertakings Pension Fund. This has been severely hampered by ideological directives and, not unrelated, the post-1974 economic malaise. A few investments have been made in the very limited number of enterprises that were to a greater of lesser extent beyond total government ownership, including Ethiopian Airways, but nearly all investment has been in government bonds, time deposit account at the National Bank and loans to such institutions as the Housing and Savings Bank (the government owned national "Mortgage Bank"). In the fiscal year 1984/85, new investments were Birr 18.4 million (26.8 million the previous year). The next year new investments plummeted to a mere Birr 2.9 million, and continued to fall. This reflected a new credit policy of the government which cut the amount of interest payable from 6% to 1%, a further blow to effective pension scheme management. The unhealthy state of affairs can be seen from the following comparisons taken from 1987/88, excluding the military. Amount of benefits paid: Birr 135,776,008 to 299,613 pensioners/survivors; PSSA's administrative budget: Birr 2,470,108; investment from Undertakings Fund (virtually no other investment): Birr 1,752,018.

53. Actuarial assessments were supposed to carried out every five years. So far there have been three only, in 1961, 1976 (both by ILO experts) and recently by a PSSA actuarial expert. The latter will be finalized during 1992.

54. Individual files are kept on each contributor and pensioner, except for military contributors because of the extra confidentiality necessary regarding such personnel. Files on the latter are the responsibility of the MOD. When military employees reach retirement, PSSA is requested to complete the required

forms, and thereafter keeps a file on the military pensioner. As a result of recent historical circumstances, there appear to be many possible claims concerning survivors' and invalidity benefits that are beyond the present capacity of PSSA to cope with and that have to be settled between MOD and MOF.

55. There are two shorter term social security benefits administered separately from the four contingencies already discussed. These are sickness and maternity benefits. Coverage is essentially as follows: a) Through the Central Personnel Agency (CPA), for public employees not in the military or police, i.e. those working in the civilian ministries. Maternity leave is 45 days from the date of delivery; and, b) Under Labour Proclamation Number 64 of 1975 for workers in Undertakings. After a probation of 90 days, employees are entitled to sick leave with full pay for the first month, half pay for the next two months and without pay for a further three months. Maternity leave is 45 days, and, if stated as necessary by a medical doctors' certificate, pre-natal leave is granted with full pay. If an undertaking ceases to operate or an employee is made redundant, the employee is entitled to a severance pay of two months' wages.

Nigeria

a) Modern Social Security schemes

56. To date, there is no national social security system which covers all categories of individuals for the purpose of disability, unemployment or old age security in Nigeria. The various schemes which are tied to employment statuses were generally developed after the second World War during the period of colonisation by the British. These public schemes involve pensions, compensation for injury, death, sickness, maternity benefits, housing and transportation allowances, tax allowances for children and some welfare services. There is as yet no national health insurance. Private companies tend to follow the broad pattern laid down for the public sector but in addition, may initiate special saving schemes for employees. Voluntary insurance also exists for the private citizen and compares policies include life, motor, fire, educational, industrial life, marine, aviation and transit as well as accident insurance.

57. Taken as a whole and in common with other systems in Africa, the social security system in Nigeria works to the advantage of the employed, those with comfortable incomes, urban dwellers and males. As noted elsewhere (ACARTSOD 1986) agricultural workers, ruralites, family labour, domestic workers and the like hardly benefit from the present structures.

b) Pension Schemes

58. The Ministry which handles pension schemes in Nigeria is the Federal Ministry of Establishments and Management Services. For the generality of public officers and civil servants, a pension is guaranteed through one's contract of employment and certain decrees which over the years have secured the right to pension. Progressively, an attempt has been made to clarify these rights and remove ambiguities. This remains an on-going process (Emiola 1981/2). The

sources for pension rights in Nigeria include the Pension act 1951, the Pension Act 1979, the Labour Decree Act 1974 and the Nigerian Constitution of 1979.

59. The focal Act is the Pension Act 1979 which cancelled the ambiguities of the 1951 Act in which an officer "man be granted retirement pension". This right was made absolute in 1979. Also, the Constitution gave a worker this right. The Act of 1979 outlined conditions and benefits. The payment of gratuities and pensions are based on income and length of service, neither are awarded as flat-rate benefits. The conditions and benefits are as follows: (1) An officer is to receive a gratuity if he/she completes 10 years of continuous and unbroken service in a permanent appointment and a pension after 15 years at which time the officer must also be at least 45 years; (2) Retirement may be voluntary or compulsory. In the former, an officer can voluntarily retire after the age of 45 years but at this age he/she may be compelled to do so allowing a notice of three months. The compulsory age for retirement is 60 years except for judges, where it is 65 years. No pension is calculated for any work done below the age of 14 years; (3) Gratuity is a lump sum, the minimum of which is 100 per cent of the annual salary. It is progressively increased by 10 per cent for each year until 300 per cent is reached for 35 years of service; (4) A maximum pension of 70 per cent is calculated for 35 years of service and no officer can receive less than Niara 300 (now N1,200) per annum; (5) Pension is paid until an officer dies, but if he/she dies within five years of retirement, it is paid to dependents for the five years following retirement; (6) An officer receives pension and gratuity if injured in the line of duty; (7) Survivors' benefits in the form of gratuity (accordingly) and pension (for 5 years) are paid to the immediate kin/dependents of an officer who dies while still on duty. Survivors are wife/wives and children (legitimate, `illegitimate' and those born after death). If an officer is missing or killed as a direct result of the employment, a widow (widows) receive 1/3rd of the pension of life and each child, for up to 6 children, also receives some (1/9th) pension until the age of 18 years. A reduced amount is awarded if the officer was not pensionable.

60. From the beginning, the Armed Forces have received special attention. Military gratuities and pensions came into operation in 1949 with pensions awarded to officers after 10 years of service, for medical discharge, for injury on duty, death and after the age of 45 years. For other ranks, 18 years of service. In addition, the Armed Forces Pensions Decree of 1979 took into account combat activities and stipulated that for officers serving between 1967 and 1970, each war year will be counted as two for the calculation of benefits. The minimum pension was given as N360 per annum. Ten and 15 years of service were made mandatory for gratuities and pensions (Supplement of Official Gazette 1979).

61. Pensions and gratuities are charged to the general revenue of Nigeria. Taxes remain an important source of revenue, although the money obtained from personal income tax does not contribute much to the government's source of revenue. The bulk of revenue comes from company taxes and petroleum profits (Ndekwu 1988). The first income tax was introduced in 1904 by Lord Lugard and numerous changes were instituted until 1961 when the Income Tax Management Act was developed to tax salaries, rent, wages and fees. In 1966, it was amended to include gratuities, compensation, bonuses, premiums and benefits given or granted

(Fashokun, 1978) and in 1979 the Capital Transfer Tax tapped gifts and inheritance but remains largely unenforced (Adesola 1988/89). Income is taxed through the P.A.Y.E. system and tax. forms are required from public officers annually. However, in Nigeria, income taxes remain a poor source of revenue for social security and welfare services. Inadequate record keeping, equipment and rampant tax evasion occurs. Although, smaller in proportion, more taxes are obtained etc., who are taxes after the direct assessment of their annual returns forms.

62. For those working in private or public companies, a compulsory savings schemes in the form of a Provident Fund was developed in Nigeria as was common with other English-speaking African nations. In 1961, the National Provident Fund act came into being through which an employer of more than 10 persons could deduct a maximum of £2 (N4) from a workers pay, increase it by an identical amount and deposit the total in the fund of behalf of the worker. Initially at 55 years and now at 60 years, the worker could withdraw the savings as lump sum or receive an annual amount up to the volume of his/her credit. A survivor's benefit could be paid a widow or executor in the event of death. Unclaimed monies reverted to a National Provident Reserve Fund. Withdraw was permissable in so far as the worker had contributed for at least 2 years. No withdrawal, age benefit or survivors benefit could exceed the worker's contributions. The core of the Act stands today even though several amendments have occurred. In addition to the PF, many companies have supplementary gratuity schemes to which a retiring confirmed worker can benefit if he/she is 55 years and has served for at least 5 years.

63. The amount expected from workers as their monthly contributions has not been altered since the 1961 Act. The present contribution of N4.00 is equivalent to £2 (Nigerian pound) at the time Nigeria altered its currency. In 1978, it was declared that all government offices on levels 01 to 17 were now pensionable and none need further contribution to the Fund. Any amount paid into the Fund by the government in respect of a worker (as an employee of the government) would be deducted from the gratuity when the latter claimed the standing credit in the Fund, upon retirement (Circular 1978). In 1990, about 5.6 million naira were paid as benefits to 11,910 claimants. Table 4 indicates that the volume of benefits and claimants has decreased since the mid-1980s.

Table 4: Statistics on the National Provident Fund

Year	No. of Employees Registered	No. of Workers	Contribu-tions N"000"	Payment/ claims N"000"	No. of claimants
1983	460	90617	38436	7688	11359
1984	550	59414	37895	5964	16226
1985	566	80591	39842	7830	21686

1986	736	70777	44263	7833	22733
1990	-	-	55000	5600	11910

Sources: (1) Quarterly Bulletin of Labour Statistics for 1987.
Pub. FM of Employment, Labour & Productivity: Lagos. 1990, pp. 67-9.

(2) Sunday Times 16/12/91, p. 2.

64. In sum, with regard to old age benefits, Nigeria has not changed fundamentally the schemes laid down over 30 years ago. Although retirement ages and payments have increased, there is still no overall system which covers the non-employed population. Mauritius for example provides a non-earnings related pension scheme for the entire population (ACARTSOD 1986) and Ghana is experimenting with a social insurance policy to which the non-employed can contribute. Also, unemployment benefits system whereby a worker could obtain a 'withdrawal grant' if contributions had been made for two years. By the National Provident Fund (Amendment) 1976, the age (55 years) stipulation for withdrawal was removed to allow workers who are removed or dismissed, as a result of the on-going retirement exercises, to claim their entitlements (Official Gazette 1976). As of 1986, only 4 countries (Ghana, Libya, Egypt and South Africa) had appreciable unemployment policies, but these remain quite diverse (ACARTSOD 1986). To date, this dimension has not been given priority and will prove difficult in the face of the escalating economic crisis and retrenchment of workers.

(c) Compensation Schemes

65. Compensation during sickness, invalidity or injury is generally paid under employer's liability in Africa. In Nigeria provisions for such benefits were established via the 1942 Workmen Compensation Act (and its amendments). Other minor provisions can be found in the National Provident Fund Act of 1961, the Factories Act of 1956, the 1974 Labour Decree and the Minerals. Regulations (118 of 1958) (Emiola 1979). Provisions have been made for temporary injuries, incapacity and death. Only persons earning less than N 1,600 per annum, unless it is earned by manual labour, can claim for industrial injuries in the course of employment. Unlike several North African nations and others South of the Sahara, domestic and homeworkers, agricultural as well as handicraft workers are excluded from such benefits in Nigeria. For instance, in Egypt, Libya, Algeria and the Sudan agricultural workers are covered as are domestic labourer in Zaire, and Senegal (ACARTSOD 1986). Also, employees in establishments of less than ten persons are not covered.

66. The amount to be paid in Nigeria can either be agreed upon jointly by the employer and employee or settled by the court. A rather complicated formula has been developed for payments and stipulates that the amount "shall be or shall be at a rate proportionate to, a monthly payment of two-thirds of the difference between the monthly earnings which the workman was earning at the time of the accident and the monthly earnings he is capable of earning in some suitable employment after the accident." In neither case, can payments exceed N40 a month.

In addition, payments can not be given for more than 96 months. However, a lump sum can be awarded in lieu of monthly payments. The employer is also liable for the cost of transportation to place of treatment, doctors bills, the payment of artificial limbs and other apparatus. Of the two systems of payments generally operating for permanent and total incapacity, Nigeria favours the payment of a lump sum calculated as several months' earnings. The other approach pays a percentage of the earnings. Fifty-four months income or N3,200 whichever is less is the amount payable. It ranges from 48 to 96 months across the continent (ACARTSOD 1986). Similar to most African nations, partial disability attracts a percentage of the earnings depending on the degree of disability.

67. A worker must notify the employer before leaving the employment and within 6 months of the injury. In addition, he/she must submit to medical examinations and treatment. Sickness claims can only be made for diseases arising out of the course of the employment. This is also true of death from injury or sickness. A number of factors are used to calculate compensation after death including the claims of all dependents, the age of the diseases, other benefits accruing to him/her and the age of the widow (Emiola 1979).

68. For the worker protected under the Provident Fund, sickness and invalidity benefits can be claimed against his/her credit. This form of compensation however remains restrictive since it can only be drawn on after a month, and when the worker has been contributing for 2 years. In addition, such amounts must be deducted from the final old-age benefit at retirement.

69. Across the continent, compensation within African countries tends to be in the form of a lump sum, although a few countries (Mozambique, Namibia, Zambia) have instituted pension schemes. Another problem appears to bae the complex systems devised for calculating entitlements based on wages and the degree of incapacity, which have been instituted among the Francophone nations in particular (Mouton 1975). Simplified methods will be required if the future coordination of systems is to be taken seriously.

(d) Maternal Benefits

70. Owing to the generous policies of the French government, the Francophone nations had a headstart on maternity benefits during the 1960s. Even though today they remain far behind what obtains in France which still outstrips most advanced nations, improvements have continued to be instituted. Compensations have generally been on the increase. Although, many other African nations have been slow in revamping their maternity benefits, it is generally considered that in Nigeria, benefits conform to international standards and are even better than some Western nations with regard to some provisions (Agomo 1985). Entitlements are based on the contents of the Labour Act 1974 and the Maternity Leave Circular of 1979 and 1984. A married female worker can presently enjoy 12 weeks of continuous maternity leave with full pay, if she produces a medical certificate by a qualified medical doctor of her condition. Unmarried women get 12 weeks with no pay. The full pay for married women instituted in 1979 was an improvement over the 50 per cent of wages stipulated by the Labour Act 1974. Many establishments,

both private and public had been paying the full wage before 1979 (Aina 1991). Nursing mothers are also entitled to half an hour twice a day to attend to their babies. This remains one of the unsatisfactory dimensions of the system. A Nigerian other-to-be can take maternity leave after only 6 months of service to the employer, unlike in Britain where 2 years is required (Agomo 1985). Also, a woman's employment can not be terminated during her maternity leave. However, an employer may not be charged for the expenses accrued during pregnancy or confinement whether or not these were maternity related. It has been noted that many employers do in fact operate schemes which incorporate free medical treatment during confinement into their maternity schemes (Agomo 1985).

(d) Family Benefits

71. Unlike the French, the British did not institute a wide range of family benefits in the colonies. The emphasis of the government was to provide wages for the male worker and allow the informal extended family and indigenous systems to supplement household needs. Thus, such items as birth grants, allowance to households and prenatal allowances did not feature in the benefit schemes of Nigeria and other English-speaking countries. It is therefore not surprising that emphasis has continued to be placed on allowances for males as 'bread winners' or heads of households even though, the indigenous family system of many ethnic groups emphasises polygyny and the heavy financial responsibility of women to their children. This pattern of responsibility differs from that of the West, considerably. The focus on the male as provider has perpetuated a scheme of family benefits (in Nigeria) in which few benefits are granted and these tend to draw attention away from women and the needs of the household unit.

72. Income tax allowances as opposed to cash allowances is the method used for relief. A man may thus have his tax load reduced by a personal allowance, wife allowance, child allowance (4 children up to the ages of 18, unless in school) and a dependent relatives allowance. The wife and child allowance are not granted to married women. Only single mothers (as opposed to separated and divorced) are treated as being responsible for their children. Rather than expand the volume of benefits, the approach has been to increase the relief on established items. Thus, for instance since 1988, N400 has been allowed for each child as compared to the former sum of N250.

73. The reliefs and allowances accorded males has been a great temptation for fraudulent claims. Many men have, as early as is practicable, declared themselves married with children in town. The official reaction has been to tighten the conditions for entitlements rather than alter these, or liberalise as in the case of neighbouring Francophone nations. Documents indicating the birth, ages and educational status of each child are now required with the submission of the tax forms each year.

(e) Voluntary Insurances Schemes

74. Voluntary and private insurance schemes have been in operation in Nigeria since 1921 with the establishment of the Royal Exchange Assurance, a British venture. The first Nigerian Company, the Universal Insurance Company, was founded

in 1961 the same year the Insurance Companies Act came into being. The Insurance Decree 1976 further outlined the regulations for establishing and operating a Company Official Gazette 1976). To date, forms of insurance are divided into life and non-life policies with the latter being significantly more popular and covering fire, accidents, motors, marine, workmen's compensation, educational needs, etc. Many administrative and infrastructural problems however affect the efficiency of the insurance business. Poor statistical data, the difficulty of calculating the ages, many policy holders, cumbersome methods of collecting premiums and inadequate manpower have been
cited as major obstacles (Ogunniyi 1973; Ogunsola, 1973).

V. CONCLUSIONS AND AGENDA FOR THE 1990s

75. The health of social security in Africa is dependent primarily on social, economic and political developments in each country. National isolation of schemes, tied to the remains of zonal colonial social security traditions, is giving way to ever increasing exchange of experience and ideas, often leading to areas of consensus regarding the way forward. An example is the widespread acceptance among Anglophone countries of the wisdom of moving away from the provident fund tradition that has been common among them to genuine pension schemes that have been more characteristic of Francophone African nations. A great deal of experience and social security skills have been gained since countries became independent. Some countries are able to share valuable lessons with others, such as Ghana's experience in running a public consciousness-raising campaign on the value of real social security. There is also greater awareness among senior personnel in African governments of the various advantages of social security, and of the need gradually to expand it.

76. Ethiopia has the clear advantage that it already has a proper social security pension scheme, and does not face the daunting prospect of changing over from a national provident fund. But that is just as well, for the problems the scheme does face are sufficiently daunting in themselves, as in many African countries. The basic problems are largely not of the scheme's own making, but emanate from the nation's overall difficulties and transitional situation. The scheme has the backing of relatively strong and detailed constitutional and statutory provisions, as well as thirty years of experience that has seen the emergence of some highly skilled members of staff. Except for reserves in the civilian and military funds, the foundations are therefore very well laid to take advantage of any improvements that may occur in the socio-economic situation of the country.

77. Nigeria falls within the groups of African nations formerly under British influence. This history has greatly affected the approach to social security. The emphasis has been on providing services for workers particularly those employed in the public sector. Thus, effort has gone into providing pensions, injury and sickness benefits as compared to unemployment and general coverage schemes. Another basic feature has been the lack of interest in the family or household as a unit for survival as occurs among the French speaking nations which were influenced by French legislation. Dwindling resources and the need to accumulate

foreign exchange greatly hampers the development of needed benefits and research for the evolvement of schemes suited to cultural needs. At present, the official and substantive social security measures are unable to contribute much to social development or stem the impact of countless and unforseen contingencies.

78. The findings of the study have shown that official and formal social security schemes in the vast majority of African countries are unable to contribute much to social development. While the socio-economic development process slowly takes place in Africa, development in the social security system could be considered along the following lines:

a. gradual extension of provision of social security to all those who are able financially to contribute to it;
b. emphasis should be on social protection, and community based development should be the priority of African governments, until such time that people are able to finance longer term contingencies;
c. harmonization of provisions of different social security schemes within the framework of a national social security policy;
d. pension scheme is more relevant than provident fund scheme. Therefore, appropriate mechanisms need to be developed for such a changeover in the contries which still have only provident fund scheme;
e. mechanisms need to be developed to extend social security coverage to informal sector workers;
f. measures need also to be developed to protect agricultural workers, rural population, family labour, domestic workers and the like who are usually not covered under present structures and systems of protection; and
g. until such time that the coverage of social security is extended to a much wider section of the population than at present is the case in the majority of African countries, informal social security networks, including private insurance, should be encouraged.

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